



Cowlitz Indian Tribe

P.O. Box 2547 Longview, WA 98632
360.577.8140 577.7432 (f)

October 25, 2011

Robert Johnson
Environmental Review Officer, Community Development Director
Lewis County Community Development Department
2025 NE Kresky Avenue
Chehalis, WA 98532

RE: South Lewis County Sub-Area Plan The sub-area plan is to guide future decision making concerning economic development in the south portion of Lewis County.

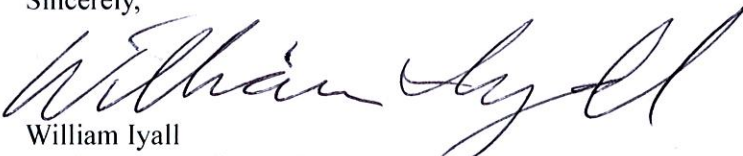
Dear Mr. Johnson,

The Cowlitz Indian Tribe disagrees with the Determination of Non-Significance (DNS) on the South Lewis County Sub-Area Plan. The Tribe knows there are archaeological conflicts with this proposed plan. In working through the Phil Smith property issue with Phil Smith's hired archaeological firm, we know the area currently has up to five identified sites and in a report that has not been submitted to the Department of Archaeology and Historic Preservation (DAHP) that recommends further study of the disturbed area. These sites reside in heavily impacted archaeological resources that are out of context. The Tribe requests Formal Consultation to work through the archaeological conflicts pertaining to the Sub-Area Plan.

Please contact dAve burlingame to resolve these issues.

Thank you.

Sincerely,



William Iyall
Chairman, Cowlitz Indian Tribe

for

dAve Burlingame
Director, Cultural Resources Department, Cowlitz Indian Tribe
360.577.6962
508.1677 [c]
577.6207 [f]

CC: Gretchen Kaehler, Department of Archaeology and Historic Preservation
Jerry Basler, Lewis County Community Development Department
dAve burlingame, Cowlitz Indian Tribe
Ed Arthur, Cowlitz Indian Tribe



Cowlitz Indian Tribe Cultural Resources Department

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CULTURAL RESOURCE PROTECTION LAWS

**NOTE: This list is not all-inclusive, and does not take place of consultation.
Not all laws will apply in all situations.**

Federal Laws

National Historic Protection Act (NHPA)	36 CFR 60	http://www.achp.gov/docs/nhpa%202008-final.pdf
Native American Graves Protection and Repatriation Act (NAGPRA)	43 CFR 10	http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?type=simple;c=ecfr;cc=ecfr;sid=abefc428407c704d63fef71637939827;idno=43;region=DIV1;q1=NATIVE%20AMERICAN%20GRAVES%20PROTECTION%20AND%20REPATRIATION;rgn=div5;view=text;node=43%3A1.1.1.1.10 or http://tinyurl.com/yc4sx7o
Executive Order 13175— Consultation and Coordination With Indian Tribal Governments		http://www.em.doe.gov/pdfs/MEMO%20Tribal%20Consultation%20and%20Executive%20Order%2013175.pdf or http://tinyurl.com/4mgxrhq

Washington State Laws

Archaeological Sites and Resources	27.53 RCW	http://apps.leg.wa.gov/RCW/default.aspx?cite=27.53
Executive Order 05-05		http://www.governor.wa.gov/execorders/eo_05-05.pdf
Notice of Forest Practices to Affected Indian Tribes	WAC 222-20-120	http://apps.leg.wa.gov/WAC/default.aspx?cite=222-20-120

Oregon State Laws

Indian Graves and Protection Objects	ORS 97.740-S 97.760	http://www.leg.state.or.us/ors/097.html
Archaeological Objects and Sites	ORS 358.905 - 358.955	http://www.leg.state.or.us/ors/358.html